

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	
)	CRIMINAL NO. 04-10082-MLW
ERIC E. RESTEINER,)	
Defendant)	
)	

JOINT MOTION TO EXCLUDE TIME

The parties jointly ask the Court to exclude the time from December 16, 2004, the date of the final status conference, through February 15, 2005, under 18 U.S.C. § 3161(h)(8)(A), because the ends of justice served by allowing time for the defendant to further review the discovery material and to engage the government in plea discussions to determine if the case can be resolved short of a trial outweigh the defendant's and the public's interest in a speedy trial. A proposed order to exclude time is attached hereto.

Respectfully submitted,

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United States Attorney

By:

/s/ Diane C. Freniere
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Assistant U.S. Attorney

/s/ John A. Amabile (DCF)
JOHN A. AMABILE, ESQUIRE
Counsel for Defendant

Dated: February 15, 2005